



City of Rochester

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November 23, 2022

Hon. Mark Pedersen
United States Magistrate Judge
100 State Street
Rochester, N.Y. 14614

Re: **Miller v City of Rochester et al**
Case: **:22-cv-06069**

Dear Judge Pedersen

The most recent discovery order in the above matter was entered September 28, 2022. That provided for completion of discovery by December 29, 2022 and filing of any motion to compel 30 days prior.

I joined the City Law department and took over the case soon after that and eventually this matter was assigned to me. Prior to the case being reassigned to me, the City had not responded to plaintiff's interrogatories and requests for production of documents which were served on or about June 27, 2022. Unfortunately, I did not attend to paper discovery timely enough so that counsel for plaintiff is now faced with having to make a motion to compel by November 29, 2022.

I have conferred with plaintiff's counsel, Mr. Shields concerning this matter. I anticipate that I will be able to provide discovery responses before the end of the year and we will be able to complete all factual discovery by March 3, 2023. Accordingly, I respectfully request the current order's deadline for factual discovery be extended to March 3, 2023 and that any motions to compel to be filed by February 3, 2023. The expert disclosure dates we would request be advanced an additional 30 days to May 1, 2023 for plaintiff's expert disclosure and defendants by June 5, 2023.

We think it would be advisable to maintain the current January 25, 2022 status conference in the order.

I have conferred with plaintiff's counsel Elliot Shields, Esq. and he consents to this request.

Respectfully submitted,

s/ Patrick B. Naylor

Patrick B. Naylor

Cc: via ECF Elliot Shields, Esq.

